

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.) NO. 04-30033-MAP
)
PAUL BANNICK)

MOTION TO CONTINUE PLEA HEARING

Now comes the defendant and respectfully requests this Honorable Court to continue the matter presently scheduled for a Plea on November 2, 2006 to another date mutually agreeable to all parties.

As grounds for this request the defendant states he has been ordered to appear in United States District Court, Boston, for Sentencing on a matter which he has filed an appearance as substitute counsel. Counsel has appeared in a matter in which Attorney Steven Leary had been representing an individual; the matter had been scheduled for November 2, 2006 for Sentencing but the parties were notified by the clerks office the date had been cancelled. Counsel states he was notified on October 30, 2006 the Judge in the Boston matter put the case back on for Sentencing on November 2, 2006 and requested all parties be present.

Counsel states the Federal Court matter in Boston is scheduled for 2:30, accordingly, counsel is unavailable to appear at the Plea in Springfield Federal Court.

Respectfully submitted,

BY: /s/ Mark G. Mastroianni
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CERTIFICATE OF SERVICE

I, Mark G. Mastroianni, Esq., do hereby certify that I have served a copy of the foregoing via CM/ECF to Assistant United States Attorney, Kevin O'Regan, United States District Court, 1550 Main Street, Springfield, MA 01103 this 1st day of November 2006.

/s/ Mark G. Mastroianni